

441—155.4(235A) Grantee requirements. In order to receive funding from the department, community councils must be legal entities or must designate a legal entity to receive the project funds directly (e.g., a local service provider).

155.4(1) Grantees, or the identified service providers, shall participate in program evaluation as required by the contractor and the department.

155.4(2) The department shall cause participant data to be entered into the state-administered, Internet-based data collection system identified in Iowa Code section 256I.13(3) and maintained by the Iowa department of public health. This release of information by the department is required by law, and as such, data entered into the system maintained by the Iowa department of public health will no longer be protected by the Health Insurance Portability and Accountability Act of 1996, Pub. L. No. 104-191, and associated implementing regulations found at 45 CFR Parts 160, 162, and 164 as amended to August 3, 2022. In addition, no information gathered by grantees and disclosed pursuant to this subrule is gathered for purposes of treating individuals for substance abuse. As such, the data disclosed pursuant to this subrule is not protected by 42 U.S.C. §290dd-2 as amended to August 3, 2022, or by the implementing regulations found at 42 CFR 2 as amended to August 3, 2022. In addition, the substance abuse treatment information so released is not subject to the confidentiality provisions of Iowa law found at Iowa Code sections 125.37 and 125.93.

[**ARC 3495C**, IAB 12/6/17, effective 1/10/18; **ARC 5363C**, IAB 12/30/20, effective 3/1/21; Editorial change: IAC Supplement 8/24/22]